

REMARKS

Claim 1 has been amended, claim 4 has been cancelled, and new claims 10-13 have been added. In response to the Notice of Non-Compliant Amendment mailed July 12, 2006, the limitation "wherein the capacitor is made with material that does not contaminate the process chamber" recited in claim 1 has been underlined. Claims 1-3 and 5-13 are presented for further examination.

Claim 1 has been amended to recite that the process monitor further comprises a ROM for storing a keyword. Support for the changes to claim 1 can be found in claim 4 as originally filed. Support for new claim 10 is found, *inter alia*, at page 4, lines 11-19, and support for new claims 11-13 is found, *inter alia*, at page 3, line 31-page 4, line 10.

The rejection of claims 1-4 and 6-9 under 35 U.S.C. § 102(e) over Roche (US 2004/0007326) is respectfully traversed.

Claim 1 as amended recites, in pertinent part, a process monitor comprising a capacitor and a ROM for storing a keyword. The ROM can be used to store a keyword or password that can identify the process monitor and advantageously prevent unauthorized use thereof (see, e.g., page 4, lines 20-26 and page 7, lines 21-30 of the specification).

As noted at page 3 of the Office Action, Roche discloses a microprocessor 64 that has additional memory 66 (see paragraphs [0037-0039]). However, neither the microprocessor 64 nor the additional memory 66 of Roche disclose a read-only memory (ROM) as required by independent claims 1 and 11.

Initially, the microprocessor 64 of Roche can process, store, and transmit measured data (see abstract and paragraph [0039]). Temporal and spatial data from the sensor modules can be transmitted to the microprocessor 64 via communication lines 103 and interface 106. However, a memory that receives such measured data cannot be read-only. Furthermore, Roche merely discloses

that the electronic architecture includes additional memory 66. There is no teaching or suggestion that the additional memory includes the claimed read-only memory.

Roche is completely silent as to read-only memory. Moreover, Roche is completely silent as to storing a keyword using read-only memory. Because Roche fails to disclose each and every element of the claimed invention, Roche cannot anticipate claims 1-3 and 6-9. Reconsideration and withdrawal of the rejection are respectfully requested.

The rejection of claim 5 under 35 U.S.C. § 103(a) over Roche in view of Moradi (US 6,607,965) is respectfully traversed.

Moradi, which was cited for teaching a capacitor comprising a polysilicon/silicon nitride stack, clearly fails to remedy the deficiencies of Roche with respect to claim 1. Thus, claim 5 is deemed patentable over the cited references for at least the reasons that claim 1 is patentable.

New dependent claim 10 recites that the process monitor further comprising a controller. Claim 10 depends from claim 1 and thus is deemed patentable over the cited references for at least the reasons that claim 1 is patentable.

Finally, new independent claim 11, which recites the limitation of a ROM for storing a keyword, additionally recites that the process monitor comprises a pair of capacitors on the sensor wafer as a power supply. Thus, claim 11, as well as new claims 12 and 13, are deemed patentable over the cited references for at least the reasons that claim 1 is patentable.

In view of the foregoing, the application is respectfully submitted to be in condition for allowance, and prompt favorable action thereon is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned at (202) 624-2995 would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #101249.56268US).

August 11, 2006

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jeffrey D. Sanok', written over a horizontal line.

Jeffrey D. Sanok
Registration No. 32,169
Stephen W. Palan
Registration No. 43,420

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844

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